| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Patent and Trollection of info 10/719,778 November Jeffrey Car 3746 Unassigner | ademark Offi ormation unle 21, 2003 tter | PTO/SB/21 (09-04) use through 07/31/2006. OMB 0651-0031 ice; U.S. DEPARTMENT OF COMMERCE ss it displays a valid OMB control number. |
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| Total Number of Pages in This Submission | Attorney Docket Number | HOET-15 (| 27049-23) | |
| ENCL | OSURES (Check al | i that apply | | ter Allowance Communication to TC |
| Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request | Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocatic Change of Correspondence Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on Coks | Address | Af of Ap of (A Ap of (A) Ap of | opeal Communication to Board Appeals and Interferences opeal Communication to TC oppeal Notice, Brief, Reply Brief) oprietary Information atus Letter ther Enclosure(s) (please Identify elow): Receipt Postcard |
| SIGNATURE O | F APPLICANT, ATTO | RNEY, O | R AGEN | Т |
| Firm Name Krieg DeVault LLP Signature Printed name John H Allie Date September 2, 2005 | | Reg. No. | 39,088 | |
| CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class-mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature | | | | |
| Typed or printed name John H. Allie | T WAND | <u> </u> | Da | ate September 2, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| SEP 0 6 2005 (m) | ES PATEI | NT AND TRADEMARK OFFICE |
|--------------------------------|----------|--|
| Jeffrey Carter |) | Before the Examiner: |
| Jeffrey Carter |)) | Unassigned |
| Patent Application Serial No.: |) | Group Art Unit: |
| 10/719,778 |) | 3746 |
| Filed November 21, 2003 |)) | September 2, 2005 |
| VARIABLE GEOMETRY TURBINE |)) | Attorney Docket No.: HOET-15 (27049-23) |

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure embodiment in 37 C.F.R. §1.56, Applicant wishes to bring to the attention of the Examiner the references listed on the enclosed PTO 1449 form. A copy of the foreign references and European Search Report are enclosed but no copies of the U.S. references listed on the PTO 1449 form are enclosed. Upon review of the enclosed Annex to the European Search Report, the Examiner should note that U.S. Patent No. 6,715,288 is included as a family member of German Patent No. DE 199 24 228.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

John H. Allie Name of Registered Representative

September 2, 2005

Date of Signature

JHA:clk:KD IM-638881 1.DOC

The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

This Statement is being submitted prior to the mailing of any Office Action on the merits. It is believed that no fee is required for consideration of the submitted items. However, should any fee be required, please charge such fee to Deposit Account No. 12-2424, but not to include any payment of issue fees.

Respectfully Submitted:

Rv.

John H. Allie, Reg. No. 39,088

Krieg DeVault LLP

One Indiana Square, Suite 2800 Indianapolis, Indiana 46204-2079

Phone: (317) 636-4341

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PTO/SB/08A (07-05)

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ction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

| Complete if Known | | | |
|------------------------|--------------------|--|--|
| Application Number | 10/719,778 | | |
| Filing Date | November 21, 2003 | | |
| First Named Inventor | Jeffrey Carter | | |
| Art Unit | 3746 | | |
| Examiner Name | Unassigned | | |
| Attorney Docket Number | HOET-15 (27049-23) | | |

| | T | | | DOCUMENTS | |
|-----------------------|--------------|--|--------------------------------|--|--|
| Examiner Initials* | Cite No.1 | Document Number Number-Kind Code ^{2 (F known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear |
| | | ^{US-} 4,367,626 | 01-11-1983 | Schwartzman | |
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| Examiner Initials* | Cite No.1 | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | |
| | | Country Code ³ "Number ⁴ "Kind Code ⁶ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | Т |
| | | DE 199 24 228 A1 | 12-07-2000 | Berhold Engels et al. | | V |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁸Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

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